

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA
(Rural Development)

CIVIL NO. 96-2038 (HL)

Plaintiff

FORECLOSURE OF MORTGAGE

v.

ADALBERTO REYES MALDONADO,
VIRGINIA SANTIAGO CRUZ and the
conjugal partnership constituted
by both

Defendants

U.S. DISTRICT COURT
SAN JUAN, PR.

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ORDER

1. The public auction in sale of property subject of this action was set for September 10, 1997, at 11:00 a.m., and held on that date.

2. Said sale was adjudicated to Carlos Sandoval on his own behalf, for the sum of \$39,520.00, which sale was confirmed by this Court thereafter.

3. Banco Popular de Puerto Rico and Internal Revenue Service are junior lienholders in this case having recorded attachments against the property subject of these proceedings:

RUSTICA: Parcela marcada con el número ocho A en el plano de parcelación de la comunidad rural El Guano del Barrio ARENAS, término municipal de Utuado, con una cabida superficial de CERO CUERDAS con DOS MIL NOVECIENTOS CUATRO DIEZ MILESIMAS de otra, equivalente a MIL CIENTO CUARENTA Y UNO punto VEINTITRES METROS CUADRADOS. LINDA: al Norte, con la parcela número ocho de la misma comunidad; por el Sur, con la parcela número siete de la misma

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U.S. v. Adalberto Reyes Maldonado, et al

Case No. 96-2038(HL)

Page 2

comunidad; por el Este, con la parcela número ocho de misma comunidad; y por el Oeste, con un camino que separa los terrenos propiedad de Esteban Muriente. Contiene un edificio de concreto armado y bloques para fines residenciales, de una planta, con medidas de cuarenta y cinco pies por treinta y cuatro pies.

Junior Liens:

Hipoteca a favor del Banco Popular de Puerto Rico por \$60,000.00, al prime rate y vence a la presentación y se tasa en \$60,000.00, según escritura 32 otorgada en Utuado el 27 de febrero del 1990 ante el Notario Francisco J. Arraiza Donate, inscrito al folio 160 vuelto del tomo 328 de Utuado, finca 13275 inscripción 7ma. y última.

EMBARGO FEDERAL: Contra Adalberto Reyes Maldonado por \$2,934.39 anotado el 11 de febrero de 1983 al asiento 2 folio 23 del Libro número 1 número de notificación 080 405 83.

4. Banco Popular de Puerto Rico and Internal Revenue Service were not given personal notice of the public sale as required by Article 149 of the Commonwealth of Puerto Rico (30 LPRA Section 2473).

5. Article 224 of the Mortgage Law of 1979 (30 LPRA Section 2727) provides;

"In the event that any subsequent creditor was not notified of the procedure or of the auction, the foreclosing creditor or the successful bidder shall notify him after the auction, so that he may request, if he so desires, that a new auction be held, or pay the price disbursed by the successful bidder. Should 20 days elapse after the notification

U.S. v. Adalberto Reyes Maldonado, et al
Case No. 96-2038(HL)
Page 3

without either of the two eventualities mentioned having occurred, the Court shall order the cancellation of his liens."

6. Banco Popular de Puerto Rico and Internal Revenue Service are hereby given notice so that they may request a new auction or pay the price disbursed by Carlos Sandoval (\$39,520.00). Should twenty (20) days elapse after the personal notification of this notice without either of the two eventualities having occurred, this Court shall order the cancellation of his lien.

In San Juan, Puerto Rico, this 17th day of December 2001.

UNITED STATES DISTRICT JUDGE
[Handwritten signature]